

### **REMARKS/ARGUMENTS**

Claim 1 has been amended to clarify that the polymer having heat decomposable groups is already crosslinked as described on page 4 (lines 14-17) of the present application. Claim 3 has been similarly amended to be consistent with amended Claim 1.

New Claim 9 relates to an additional method step described on page 4 (lines 17-20) of the present application. In addition, new claims 10 and 11 are described in the application on pages 8 (lines 15-18) and 9 (lines 12-13), respectively.

Applicant respectfully submits that all rejections of this application should be withdrawn for the reasons presented below.

### **Rejection Under 35 U.S.C. §103(a)**

Claims 1-4 and 6-8 have been rejected as anticipated by US Patent 5,908,731 (Leenders et al.). This rejection is respectfully traversed.

The Office Action argues that Leenders et al describes a lithographic printing plate precursor containing a crosslinked product having a polymer with a heat decomposable group and a crosslinking agent. It is also argued that the various features of dependent Claims 2-4 and 6-7 and method Claim 8 are also described by Leenders et al.

Applicant's invention is directed to a lithographic printing plate precursor having an oleophilic layer containing an already crosslinked product that is a crosslinked polymer having heat decomposable groups. This polymer has already been crosslinked with a crosslinking agent and it still has unreacted heat decomposable groups. The polymer can be crosslinked during or immediately after coating, but is not during imaging. Thus, it is already crosslinked when the precursor is imaged, and there are unreacted heat decomposable groups still in the polymer that are needed at the time of imaging. As pointed out on page 4 (lines 16ff) of the present application, the "lipophilic layer comprises a cross-linked product (*emphasis added*) obtained by cross-linking a polymer having a thermally decomposable group on the main chain, with a cross-linker". In addition, Applicant teaches on page 10 (lines 19ff) of the present application that crosslinking of the polymer occurs "under drying heat"

after coating and prior to imaging. This is demonstrated in Example 1 (page 24, lines 4-7). If the polymer did not still contain heat decomposable groups, imaging would not be possible. Imaging is not used to crosslink the polymer in the oleophilic layer.

The rejection of Applicant's claimed invention is based on the teaching of a crosslinked hydrophobic layer in the element described in Col. 2 (lines 24-31 and 57ff). This crosslinkable layer is prepared using crosslinkable monomers with various reactive groups (Col. 3, lines 1-42). The resulting crosslinked polymer in the hydrophobic layer is then used in the imageable element to reduce debris released into the atmosphere during imaging.

Contrary to the inference in the Office Action, the crosslinked polymer described in Leenders et al. does not contain heat decomposable groups. If such groups once existed in the hydrophobic layer composition, they were used to crosslink it. For example, azo groups (Col. 5, lines 1-2) are mentioned for producing radicals for polymerization or crosslinking of the polymer or monomer reactants. Thus, the crosslinked layer in Leenders et al. is prepared using any of many conventional crosslinkable components and crosslinking agents, but the resulting product is not described as having heat decomposable groups still in the crosslinked network, as in the oleophilic layer used in the presently claimed invention. Even the acid precursors mentioned in Col. 6 of Leenders et al. are substantially decomposed when the crosslinking is carried out. There is no indication, explicit or implicit, that the resulting crosslinked polymers have heat decomposable groups that participate in imaging as in the presently claimed invention. Moreover, imaging of the element described in Leenders et al. occurs by ablating the metallic layer underneath the hydrophobic layer (Col. 2, lines 24-28). Thus, the hydrophobic layer of Leenders et al. has nothing to do with imaging. It is used for debris-control.

For these reasons, Leenders et al. does not anticipate the presently claimed invention and the rejection under Section 102(b) should be withdrawn.

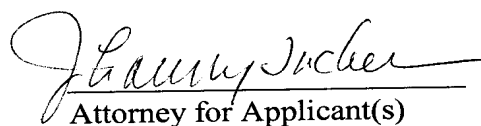
#### **Rejection Under 35 U.S.C. §103(a)**

Claim 5 has been rejected as unpatentable over the combined teaching of Leenders et al. and US 2003/0148207 (Maemoto et al.). This rejection is respectfully traversed.

The Office Action argues that it would be obvious to use the titanium dioxide particles in an oleophilic layer of the element of Leenders et al. in view of the teaching in Maemoto et al. The argument is incorrect. Maemoto et al. uses titanium dioxide particles in an oleophilic imaging layer while Leenders et al. uses them in a hydrophilic layer underneath the ablatable layer and crosslinked hydrophobic layer. There is no connection between the two uses. It is only speculation that an oleophilic layer composition of Maemoto et al. would be used by a skilled artisan in place of the hydrophilic layer composition of Leenders et al. Thus, there is no basis for the unpatentability rejection of Claim 5 and it should be withdrawn.

In view of the foregoing amendments and remarks, reconsideration of this patent application is respectfully requested. A prompt and favorable action by the examiner is earnestly solicited.

Respectfully submitted,

  
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.